

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

(For Electronic Publication Only)

CHRISTINE PARKER,
X

Plaintiff,

-against-

CAPITAL ONE,

Defendant.

ORDER
23-CV-00158 (JMA)(LGD)

FILED
CLERK

11:44 am, Feb 09, 2023

CHRISTINE PARKER,

Plaintiff,

-against-

23-CV-00160 (JMA)(LGD)

EQUIFAX,

Defendant.

X

JOAN M. AZRACK, District Judge:

Before the Court is an *in forma pauperis* application filed by *pro se* plaintiff Christine Parker (“plaintiff”) in each of the above cases. For the reasons that follow, the applications to proceed *in forma pauperis* are denied without prejudice and with leave to renew upon completion of the AO 239 Long Form *in forma pauperis* application (“Long Form”) in each case. Alternatively, plaintiff may remit the \$402.00 filing fee in each case.

Although plaintiff has provided responses to each question on the forms, her responses raise more questions than they answer and are largely incomplete. For example, plaintiff wrote “N/A” in the space that asks about employment and she checked “No” to indicate that she has not received income from any source in the past 12 months. (See Docket Entry No. 2, ¶¶ 2-3 in each case.) Although plaintiff includes a residential address in her complaints, she has not included any housing expenses such as rent or a mortgage payment in the space that asks for a

description of any regular monthly expenses and their amounts. (See id. at ¶ 6; Complaints, ECF No. 1 at ¶ 1.) Nor has plaintiff included any regular monthly expenses for items such as food and transportation. (See ECF No. 2 at ¶ 6.) Though plaintiff reports having \$200 in cash or in an account (id. ¶ 4), she does not report owning any items of value and lists a student loan as her only debt or financial obligation. Further, the Court cannot ignore that although plaintiff recently settled another case in this Court, Parker v. VW Credit, Inc., 22-CV-4837(JMA)(SIL); plaintiff did not disclose income from a settlement in her present applications.

Given the fact that plaintiff's responses raise more questions than they answer, plaintiff's applications are denied without prejudice and with leave to renew upon completion of the long form applications enclosed with this Order within fourteen (14) days from the date of this Order. Alternatively, plaintiff may remit the \$402.00 filing fee in each case. Plaintiff is warned that, once paid, there are no refunds of the filing fee, regardless of the outcome of the case.¹ Further, plaintiff is cautioned that her failure to timely comply with this Order may lead to the dismissal of the complaints without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of any appeal. *See Coppededge v. United States*, 369 U.S. 438, 444-45 (1962).

¹ Plaintiff may consult with the Hofstra Law *Pro Se* Clinic located in the Central Islip Courthouse, which can provide free information, advice, and limited scope legal assistance to non-incarcerated *pro se* litigants. The *Pro Se* Clinic is not part of, nor affiliated with, the United States District Court. Consultations with the *Pro Se* Clinic can be conducted remotely via telephone and may be scheduled by sending an email to PSLAP@Hofstra.edu or by leaving a message at (631) 297-2575.

The Clerk of Court shall mail a copy of this Order to the plaintiff at her address of record.

SO ORDERED.

Dated: February 9, 2023
Central Islip, New York

/s/ (JMA) _____
Joan M. Azrack
United States District Judge